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LOK SABHA

The following Bills were introduced in Lok Sabha on the 24th April, 1964:—

BILL No. 34 OF 1964

*A Bill further to amend the Indian Coinage Act, 1906.*

BE it enacted by Parliament in the 'Fifteenth Year of the Republic of India as follows:—

1. (1) This Act may be called the Indian Coinage (Amendment) Act, 1964.

Short title  
and com-  
mence-  
ment.

(2) It shall come into force on the 1st day of June, 1964.

3 of 1906.

2. In section 13 of the Indian Coinage Act, 1906 (hereinafter referred to as the principal Act), after sub-section (3), the following sub-section shall be inserted, namely:—

Amend-  
ment of  
section 13.

“(4) All new coins in the *naya paisa* series, designated as such under the notification of the Government of India in the Ministry of Finance, Department of Economic Affairs, No. S.R.O. 1120, dated 11th May, 1956 which may have been issued under this Act prior to the commencement of the Indian Coinage (Amendment) Act, 1964, shall continue to be a legal tender in payment or on account,—

(a) in the case of a half-rupee or fifty *naye paise* coin, for any sum not exceeding ten rupees;

(b) in the case of any other coin, for any sum not exceeding one rupee.”.



Amend-  
ment of  
section 14.

3. In section 14 of the principal Act, after sub-section (3), the following sub-section shall be inserted, namely:—

“(4) As from the commencement of the Indian Coinage (Amendment) Act, 1964, all references in any enactment or in any notification, rule or order under any enactment or in any contract, deed or other instrument to any value in *naya paisa* or *naye paise* shall be construed as references to that value expressed respectively in *paisa* or *paise*, being the new coins designated as such from 1st day of June, 1964.”.



## STATEMENT OF OBJECTS AND REASONS

With the demonetisation of the anna-pie series of coins, it is proposed to drop the prefix 'naya' from the decimal coinage system of 'naya paisa' with effect from 1st June, 1964. The 'naya paisa' coins will continue to be legal tender and will remain in circulation along with the new 'paisa' coins until they are called in. This change in designation will necessitate consequential amendments in enactments and notifications, rules or orders, issued thereunder or in contracts, deeds, or other instruments where references to any value may have been expressed in 'naya paisa'. While the change in designation of the decimal coins from 'naya paisa' to 'paisa' will be brought about by means of a notification to be issued by the Central Government under section 14(1) of the Indian Coinage Act, 1906, the amendments proposed in the Bill are required to maintain the legal tender character of the 'naya paisa' coins and to provide for the consequential amendments.

T. T. KRISHNAMACHARI.

NEW DELHI;  
*The 8th April, 1964.*



## BILL NO. 36 OF 1964

*A Bill further to amend the Constitution of India*

Be it enacted by Parliament in the Fifteenth Year of the Republic of India as follows:—

Short title.

1. This Act may be called the Constitution (Eighteenth Amendment) Act, 1964.

Amendment  
of article  
359.

2. In article 359 of the Constitution,—

(a) after clause (1), the following clause shall be inserted, and shall be deemed always to have been inserted, namely:—

“(2) While an order made under clause (1) in relation to any of the rights conferred by Part III is in operation, nothing in that Part conferring those rights shall restrict the power of the State as defined in the said Part to make any law or to take any executive action which the State would but for the provisions contained in that Part be competent to make or to take, but any law so made shall, to the extent of the incompetency, cease to have effect as soon as the order aforesaid ceases to operate, except as respects things done or omitted to be done before the law so ceases to have effect.”;

(b) the existing clauses (2) and (3) shall be re-numbered as clauses (3) and (4) respectively;

(c) in clause (3) as so re-numbered, after the words “the territory of India”, the words “or may apply to all persons or any class of persons therein, and any such order may be made so as to be retrospective to any date not earlier than the date of the issue of the Proclamation” shall be inserted, and shall be deemed always to have been inserted.



## STATEMENT OF OBJECTS AND REASONS

When a Proclamation of Emergency is in operation, the President is empowered under article 359 of the Constitution to make an order suspending the right to move any court for the enforcement of such of the rights conferred by Part III as may be mentioned in that order. It was intended that the powers conferred by this article should be exercised during an emergency according to the needs of the situation. On the other hand, article 358 renders the provisions of article 19 automatically inoperative while the Proclamation of Emergency is in operation, and the power to make any law or to take any executive action is not restricted by the provisions of that article. The intention underlying article 359 appears to be that when an order is made under clause (1) of that article in relation to any of the rights conferred by Part III, the order so made would have the same effect in relation to those rights as article 358 has in relation to article 19. On account, however, of the difference in language between article 358 and article 359, doubts may arise as to the effect of an order made under article 359. The Bill seeks to remove these doubts by inserting a new clause in article 359 which follows the language of article 358.

2. It is further proposed to make it clear that the order made under clause (1) of article 359 may be made so as to make it applicable to all persons or any class of persons. It is also proposed to take powers to make the order with retrospective effect to any date not earlier than the date of issue of the Proclamation.

NEW DELHI;

A. K. SEN.

*The 4th March, 1964.*

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M. N. KAUL,  
*Secretary.*



